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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
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Fifty-second session
Agenda item 12

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Letter dated 15 August 2000 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office at Geneva addressed to the Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights

I attach a copy of an aide mémoire* from the United Kingdom and United States Permanent Missions responding to allegations made by the Representative of Iraq at the United Nations Sub-Commission on the Promotion and Protection of Human Rights on the effects of United Nations sanctions on Iraq and about the actions of our two Governments. The aide mémoire was circulated yesterday to Sub-Commission members. Please could you arrange for it also to be issued as an official United Nations document.

(signed) Simon W.J. FULLER
Ambassador
Permanent Representative

* The annex is reproduced as received, in English only.

Annex

AIDE MEMOIRE FROM THE UNITED KINGDOM AND UNITED STATES MISSIONS ON IRAQ AND SANCTIONS

During the current session of the UN Sub-Commission on the Promotion and Protection of Human Rights, the Representative of Iraq has made numerous allegations about the effects of the UN sanctions on Iraq and about the actions of the United Kingdom and the United States.

The United Kingdom and United States firmly believe that the circumstances of the Iraqi people could be substantially improved if the Iraqi government gave their humanitarian needs priority over its propaganda effort to have the sanctions lifted before it has fulfilled the obligations laid down by the Security Council's various resolutions.

We share international concern for the suffering of the people of Iraq. Since sanctions were imposed, our governments have taken the lead in efforts to help the Iraqi people - in particular the most vulnerable. Our efforts in securing the adoption of Security Council resolution (SCR) 1284, at the end of last year, is just one example of this.

SCR 1284 reflects our long-standing and deep-seated commitment to two aims: the disarmament of Iraq and the well-being of its people. It offers the Iraqi people, unconditionally, a bigger and better humanitarian programme. It also provides, for the first time, for the suspension of sanctions if Iraq cooperates with UN arms control monitors. It offers Saddam Hussein a route - the only route - out of sanctions, if he chooses to cooperate.

SCR 1284 is already making the "oil for food" programme even more effective. The resolution removed the ceiling on Iraqi oil exports. More than $14 billion should be available for the humanitarian programme this year alone. This is seven times the revenue raised when Iraq allowed the "oil for food" programme to begin in 1996. It is worth recalling in his respect that it took Saddam Hussein five years to accept the "oil for food" programme.

SCR 1284 also introduced the concept of lists of foodstuffs, medical, agricultural and educational goods which no longer need to be referred to the Sanctions Committee, but are simply notified to the UN Secretariat. More than $1 billion worth of goods have already been processed under this accelerated procedure. SCR 1302 has extended this procedure to cover the water and sanitation sector.

As the UN Secretary-General underlined in his latest report, the Government of Iraq is in a position to reduce current malnutrition levels and to improve the health status of the Iraqi people. In the face of this oil wealth, there is no reason for the people of Iraq to suffer shortages of food and medicine:

- there has never been a limit on the amount of food Iraq can import. More than 13 million tonnes of foodstuffs have arrived in Iraq since the first deliveries under the "oil for food" programme in 1997. Despite the need for foodstuffs, Iraq has actually been caught trying to export food and humanitarian goods. We know it has sold food to Syria and tried to sell food to Jordan. Vessels exporting foodstuffs from Iraq have been intercepted in the Gulf. The Kuwaiti coastguard intercepted a ship exporting grain from Iraq in May and another exporting beans in June.

- the UN recently recommended that Iraq set aside $91 million for targeted nutrition for groups such as infants and new mothers; Iraq allocated only $24 million. The UN Secretary-General also recommended supplementary feeding programmes aimed at identifying and rehabilitating 100,000 malnourished children under five. Iraq has not implemented these programmes.

- in February 1998 the Secretary-General recommended a daily food ration of 2463 kcal. The Iraqi government sets that current average daily food ration at just 1991 kcal.

- the Iraqi regime also collects revenues by illegally selling oil (ie. outside the "oil for food" programme). It does not use these revenues to buy food or medicine, but instead purchases 10,000 bottles of whisky and over 50 million cigarettes each month.

- sanctions have never limited or prohibited the import of medicine. Indeed, the UN has urged the Iraqi regime to order more basic medicines, but the regime has refused. The UN Secretary-General has noted that over one quarter of all the medical goods delivered under the "oil for food" programme have not been distributed, including half of all the anti-cancer drugs. The UN has also criticized the Iraqi regime for intentionally hoarding medicines in warehouses instead of distributing them to civilians.

- since 1998 Saddam Hussein has publicly refused a number of humanitarian contributions. He has refused to allow most NGOs into Iraq and sometimes impedes UN workers trying to oversee the "oil for food" programme. Iraq also continues to oppose placing mobile testing laboratories for humanitarian goods delivered under the programme. These would ensure the quality of the goods delivered. Under the "oil for food" programme Iraq, not the UN, chooses what is purchased and from whom.

- in northern Iraq, where the UN controls the humanitarian relief programmes, child mortality rates are now lower than they were before Iraq's invasion of Kuwait in 1990. Child mortality rates have doubled in those areas where Iraq controls the "oil for food" programme.

- basic educational supplies including pencils, books, and desks have never been prohibited by the UN sanctions. Nearly $64 million of supplies for the education sector, including photocopiers, and printing and lab equipment, have entered Iraq under the "oil for food" programme.

- since the "oil for food" programme began, the UN Sanctions Committee has approved about 90% of Iraqi contracts received. Contracts which are put on hold are normally done so temporarily and mostly because of a lack of information or concerns about the possible dual-use of the good concerned. These have included a neutron generator which has applications in nuclear programmes; tartaric acid and ethanol which have applications in the production of chemical weapons; military specification gas masks; and a centrifuge machine which can be used in the production of biological weapons.

- Iraq is not cooperating on Kuwaiti missing persons. It has so far provided information sufficient to close only three Kuwaiti missing files. It is no longer cooperating with the Tripartite Commission process. More than 600 Kuwaitis, or 0.1 percent of Kuwait's population, remain unaccounted for.

Furthermore, the Missions of the United Kingdom and of the United States would like to point out that their governments are not conducting a bombing campaign in the no-fly zones over Iraq. These were created in the early 1990s in support of SCR 688, which called on Iraq to end its brutal repression of the Kurds and minority groups in the northern and the Shia in the south. Since 1998 Iraq has mounted a systematic campaign to shoot down British and American planes, targeting them over 820 times. Our planes only respond in self-defence. They do not target civilians or civilian facilities.

Our Missions also wish to comment on the Sub-Commission resolution on the effects of sanctions on human rights. We agree that UN sanctions imposed by the Security Council should be designed to include humanitarian exemptions as appropriate, and to be in conformity with international human rights instruments. The only comprehensive economic sanctions regime imposed by the UN Security Council currently in force is that in relation to Iraq. And as has been shown above, humanitarian concerns can be met under the "oil for food" programme.

As the Iraq case also illustrates, the international community can not prevent suffering if the Governments of countries targeted by UN sanctions do not respect the human rights of their people and act in their interests. We call on such governments to give priority to the welfare of their people, and to comply with their obligations under Security Council resolutions.

United Kingdom Mission
Geneva

United States Mission
Geneva

15 August 2000